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HOUSE BILL 390

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

James Roger Madalena

AN ACT

RELATING TO ELECTIONS; PROVIDING ALTERNATIVE MEANS FOR THE  
REMOVAL OF NAMES OF DECEASED NATIVE AMERICANS FROM VOTER POLLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 1-4-25 NMSA 1978 (being Laws 1969,  
Chapter 240, Section 81, as amended) is amended to read:

"1-4-25. CANCELLATION OF REGISTRATION--DETERMINATION OF  
DEATH.--

A. For purposes of cancellation of registration,  
the death of a voter shall be ascertained by obituary notices  
or probate records or by comparison of registration records  
with monthly certified lists of deceased residents filed with  
the secretary of state.

B. The state registrar of vital statistics shall  
file monthly with the secretary of state certified lists of

underscored material = new  
[bracketed material] = delete

1 deceased residents over the age of eighteen years, sorted by  
2 county, regardless of the place of death.

3 C. The monthly certified list of deceased residents  
4 shall show the:

- 5 (1) name;
- 6 (2) age;
- 7 (3) sex;
- 8 (4) marital status;
- 9 (5) birth place;
- 10 (6) birth date;
- 11 (7) social security number, if any;
- 12 (8) address; and
- 13 (9) place and date of death of the deceased  
14 resident.

15 D. The secretary of state shall, upon receipt of  
16 the monthly certified list of deceased residents, forward each  
17 county's list to the county clerk.

18 E. The county clerk shall, upon receipt of the  
19 monthly certified list of deceased residents, cancel any  
20 deceased resident's certificate of registration.

21 F. Upon receipt of a notarized document from the  
22 president or governor of an Indian nation, tribe or pueblo or  
23 from a tribal enrollment clerk indicating that a tribal member  
24 is deceased, the county clerk shall cancel the certification of  
25 registration of that deceased tribal member."

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